

App. No.: 10/799,434
Filed: March 11, 2004

REMARKS:

This Amendment is submitted in response to the August 25, 2005 Office Action, wherein the Examiner rejected claims 1 and 3-9, and objected to claims 2 and 10-15 on the grounds that while they were directed to allowable subject matter, they depended from a rejected base claim. This indication of allowable subject matter is noted with appreciation. Reconsideration of the application in view of the amendments and remarks is respectfully requested. The Amendment merely places the objected to claims in condition for allowance.

By this Amendment, claims 1-13 have been amended. Claim 1 was amended to incorporate the requirements of objected to claim 2. As claim 1 now includes the requirements of claims 2 and 1, it is now in condition for allowance. Claim 2 was amended and now depends from independent method claim 13, in order to avoid duplication.

Claims 12 and 13 were amended to now be in independent form, by incorporating the requirements of originally presented base claim 1. Accordingly, the claims are now in condition for allowance.

Claims 3-9 were amended to now depend from claim 12, which is allowable. Claims 10-11 were amended to now depend from allowable claim 1. Accordingly these claims are now allowable.

Upon entry of this Amendment, claims 1-15 will be pending and placed in condition for allowance. Please note that the total number of claims has not changed and the number of independent claims is now three. Accordingly no fee is believed to be due. Applicant respectfully requests reconsideration of this application, in view of the following remarks.

The Examiner rejected Claims 1 and 7 under 35 U.S.C. 102(b) as being anticipated by Koji et al. (JP 3-157134). The Examiner further rejected Claims 1, 3-7 and 9 under 35 U.S.C. 103 as being obvious and unpatentable over Koji et al. The Examiner rejected Claims 1, 7 and 8

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under 35 U.S.C. 102(b) as being anticipated by Brinkman et al. (U.S. 4,089,945). Applicant traverses these rejections.

The Examiner also stated that "Claims 2 and 10-15 ... would be allowable, subject to a search update at the time of the next Office action, if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

While Applicant respectfully disagrees with the grounds for the rejections, in the interest of expediting prosecution, Applicant has amended claim 1 to include the limitations set forth in allowable claim 2 to specify the inclusion of a fragrance, a benzaldehyde, citronella, eucalyptus